



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MEMORANDUM

Date: February 24, 2016

To: Robert Best, Chairman, & Members, Planning Board

From: Robert Price, Assistant Planner

Subject: **Joy Lawrence (applicant/owner) of Lawrence Home Care** — Review for acceptance and consideration of Final Approval for a home occupation permit for an at-home day care located at 1 Edward Lane in the R (Residential) and Aquifer Conservation Districts. Tax Map 5C, Lot 647.

Background

Map 5C/Lot 647 is located at 1 Edward Lane. The property is located in the R (Residential) and Aquifer Conservation Districts, is just under 4,100 square feet (0.094 acres) in size and contains an existing residence. It is abutted by residential uses, open space and the ball fields adjacent to the Highway Garage. The property is serviced by municipal sewer. The water source map indicates that MVD has water lines very close to the subject property but not servicing it directly. As of the writing of this memo, it is unknown if MVD is now servicing this property, or if the water source remains a private well. When confirmation is received, the information will be relayed to the Board. The applicant intends to establish an in-home day care within the single-family dwelling located on the property.

The application includes the following details:

- Ms. Lawrence will be the only employee
- No sign is proposed
- Hours of operation: Monday – Friday, 6:30 a.m. – 6:30 p.m.

The proposal calls for six children from outside the home, plus the owner's children, which will require a license from the State of NH (four or more non-biological children requires a license).

According to the Town's assessing records, the gross living area in the home is 967 square feet. The application lists total living space at 1,008 square feet and proposes 188 square feet to be occupied by the day care. In either case, the total area being sought is below the 25% maximum allowable area for the home occupation.

It is anticipated that up to 6 customers will be visiting the property each day for pick up/drop off of children. The Board should review the provided plan to determine if the parking area being provided on site is sufficient, bearing in mind that off-site parking is prohibited.

Completeness

Staff recommends that the Board vote to accept the application, as it is substantially complete and contains sufficient information to invoke the Board's jurisdiction and to allow the Board to make an informed decision.

Recommendation

Based on the information available to date, **staff recommends that the Board grant final approval of the home occupation, with any conditions the Board believes are appropriate following the public hearing.**

Cc: Planning Board File
Correspondence

Ec: Joy Lawrence (owner)
Fred Kelly, Carol Miner & Leslie Tejada, Building Department
Mike Currier, Brian Borneman & John Manuele, Merrimack Fire Department
Charlene Bollengier, Health Division
Ron Miner, Merrimack Village District

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